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5 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 UNITED STATES OF AMERICA, )  
8 )  
9 Plaintiff, ) Case No. MJ09-372-JKA-1  
10 )  
11 v. )  
12 )  
13 LEONEL MARIN-TORRES, )  
14 )  
15 Defendant. )  
16 )

17 Offense charged:

18 Possession of Cocaine Base in the Form of Crack.

19 Cocaine with the Intent to Distribute.

20 Felon in Possession of a Firearm.

21 Detention Hearing: July 30, 2009.

22 The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and  
23 based upon the factual findings and statement of reasons for detention hereafter set forth, finds that  
no condition or combination of conditions which the defendant can meet will reasonably assure the  
appearance of the defendant as required and the safety of any other person and the community.

24 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

25 Defendant has a criminal history going back to 1996. He has felony convictions for drug  
26 offenses, escape, unlawful possession of firearms, and assault in the second degree. An

1 immigration detainer has also been place on him. In view of the foregoing circumstances,  
2 defendant by his counsel did not contest detention.

3 Defendant is charged with a serious offense involving over 100 kilograms of cocaine with a  
4 street value of over \$2.5 million. If convicted he faces a mandatory minimum sentence of 10 years  
5 in prison. The strength of the case against defendant is strong: he was arrested on a beach with the  
6 cocaine and subsequently admitted to committing the crime. Defendant is a Canadian citizen.  
7 When initially interviewed by US Pretrial Services, he was not sure of his address. Over the last 10  
8 years he has moved from place to place living only a few months in one location. Defendant has a  
9 significant history of substance abuse.

10 It is therefore ORDERED:

11 (1) Defendant shall be detained pending trial and committed to the custody of the  
12 Attorney General for confinement in a correctional facility separate, to the extent practicable, from  
13 persons awaiting or serving sentences, or being held in custody pending appeal;

14 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
15 counsel;

16 (3) On order of a court of the United States or on request of an attorney for the  
17 Government, the person in charge of the correctional facility in which defendant is confined shall  
18 deliver the defendant to a United States Marshal for the purpose of an appearance in connection  
19 with a court proceeding; and;

20 (4) The clerk shall direct copies of this order to counsel for the United States, to counsel  
21 for the defendant, to the United States Marshall, and to the United States Pretrial Services Officer.

22 DATED this 30<sup>th</sup> day of July, 2009.

23 

BRIAN A. TSUCHIDA  
United States Magistrate Judge